

MB

U.S. Department of Homeland Security

Bureau of Citizenship and Immigration Services

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ADMINISTRATIVE APPEALS OFFICE  
425 Eye Street N.W.  
ULLB, 3rd Floor  
Washington, D.C. 20536

File: EAC 01 228 57592 Office: Vermont Service Center Date:

MAR 19 2003

IN RE: Petitioner:  
Applicant:

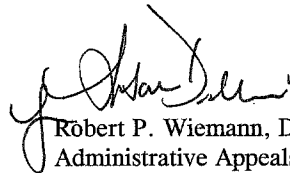
Application: Application for Change of Nonimmigrant Status Pursuant to 8 C.F.R. § 248.3(a)

ON BEHALF OF APPLICANT:

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early unwarranted  
of personal privacy

**INSTRUCTIONS:**

This is the decision in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

  
Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The petition for a nonimmigrant worker was filed as an application for a change of the applicant's status in the United States to that of an R-1 Religious Worker, pursuant to 8 C.F.R. § 248.3(a). The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The petition was denied by the Director, Vermont Service Center, who did not advise the applicant whether or not the decision could be appealed to the AAO. Counsel for the petitioner subsequently filed an appeal.

The regulation at 8 C.F.R. § 248.3(g) states:

*Denial of application.* When the application is denied, the applicant shall be notified of the decision and the reasons for the denial. There is no appeal from the denial of the application under this chapter.

The regulation cited above precludes the AAO from considering any appeal that is filed pursuant to the denial of an application to change nonimmigrant status. Accordingly, the appeal will be rejected.

**ORDER:** The appeal is rejected.